This listing of claims will replace all prior versions, and listings, of claims in the application.

## **Listing of Claims**

- 1. (original) A MRAM construct, comprising a MRAM cell structure connected by a spin hold element to a spin filtering element.
- 2. (original) The MRAM construct of claim 1 wherein the MRAM cell structure comprises a GMR device.
- 3. (original) The MRAM construct of claim 1 wherein the MRAM cell structure comprises a MTJ device.
- 4. (original) The MRAM construct of claim 2 wherein the MRAM cell structure comprises at least two ferromagnetic layers separated by a conductor layer.
- 5. (original) The MRAM construct of claim 3 wherein the MRAM cell structure comprises at least two ferromagnetic layers separated by an insulator layer.
- 6. (original) The MRAM construct according to claim 1 wherein the spin filtering element includes a ferromagnetic material having a high magnetic polarization value.
- 7. (original) The MRAM construct according to claim 1 wherein the spin filtering element includes a Heusler alloy.
- 8. (original) The MRAM construct according to claim 7 wherein the Heusler alloy is a Mn based Heusler alloy.
- 9. (original) The MRAM construct according to claim 1 wherein the spin filtering element includes a Mn based Heusler alloy selected from the group consisting of NiMnSb and NiMnGa.

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- 10. (original) The MRAM construct according to claim 7 wherein the Heusler alloy is an oxide based Heusler alloy.
- 11. (original) The MRAM construct according to claim 1 wherein the spin filtering element includes an oxide based alloy selected from the group consisting of Fe<sub>3</sub>O<sub>4</sub> and CrO<sub>2</sub>.
- 12. (original) The MRAM construct according to claim 1 wherein the spin filtering element includes a Mn based CMR material.
- 13. (original) The MRAM construct according to claim 12 wherein the spin filtering element includes a Mn based CMR material selected from the group consisting of  $La_xSr_{1-x}MnO_3$  and  $Pr_xCa_{1-x}MnO_3$ .
- 14. (original) The MRAM construct according to claim 1 wherein the spin filtering element includes a Mn based ferromagnetic material.
- 15. (original) The MRAM construct according to claim 14 wherein the Mn based ferromagnetic material of the spin filtering element comprises NiMnGa.
- 16. (original) The MRAM construct according to claim 14 wherein the Mn based ferromagnetic material of the spin filtering element comprises NiMnSb.
- 17. (original) The MRAM construct according to claim 1 wherein the spin filtering element includes an oxide based ferromagnetic material.
- 18. (original) The MRAM construct according to claim 17 wherein the oxide based ferromagnetic material of the spin filtering element comprises Fe<sub>3</sub>O<sub>4</sub>.
- 19. (original) The MRAM construct according to claim 17 wherein the oxide based ferromagnetic material of the spin filtering element comprises CrO<sub>2</sub>.

- 20. (original) The MRAM construct according to claim 1 wherein the spin hold element comprises a material having a high spin diffusion length.
- 21. (original) The MRAM construct according to claim 20 wherein the spin hold element comprises a material having a spin diffusion length at least about 100 nm.
- 22. (original) The MRAM construct according to claim 1 wherein the spin hold element comprises Bi.
- 23. (original) The MRAM construct according to claim 22 wherein the spin hold element comprises single-crystal Bi.
- 24. (original) The MRAM construct according to claim 22 wherein the spin hold element comprises poly-crystal Bi.
- 25. (original) The MRAM construct according to claim 1 wherein the spin hold element and the spin filtering element are adjacent layers in the MRAM cell structure, and the spin hold element comprises a conductive metal layer having a thickness less than the electron mean free path in the metal.
- 26. (original) The MRAM construct of claim 25 wherein the metal of the spin hold conductive metal layer is Cu.
- 27. (original) The MRAM construct of claim 26 wherein the spin hold Cu layer has a thickness in the range about 4 nm to about 10 nm.
- 28. (original) The MRAM construct of claim 25 wherein the metal of the spin hold conductive metal layer is Al.
- 29. (original) The MRAM construct of claim 28 wherein the spin hold Al layer has a thickness in the range about 4 nm to about 5 nm.

- 30. (original) The MRAM construct according to claim 1 wherein the MRAM cell structure comprises a MTJ system having first and second ferromagnet layers separated by a thin insulator, the ferromagnet layers having different coercivity fields.
- 31. (original) The MRAM construct according to claim 30 wherein the insulator comprises a material selected from the group consisting of Al<sub>2</sub>O<sub>3</sub>, AlN, AlON, Ga<sub>2</sub>O<sub>3</sub>, SrTiO<sub>3</sub>, HFO<sub>2</sub>, Ta<sub>2</sub>O<sub>5</sub>.
- 32. (original) The MRAM construct according to claim 30 wherein the first ferromagnet layer comprises a material different from that of the second ferromagnet layer.
- 33. (original) The MRAM construct according to claim 30 wherein the first ferromagnet layer and the second ferromagnet layer each comprise a material selected from the group consisting of a 3d transition ferromagnet material.
- 34. (original) The MRAM construct of claim 33 wherein the 3d transition ferromagnetic material is selected form the group consisting of Fe, Co, CoFe and CoFeNi.
- 35. (original) The MRAM construct of claim 30 wherein the first ferromagnet layer and the second ferromagnet layer each comprise a Heusler alloy.
- 36. (original) The MRAM construct of claim 35 wherein the Heusler alloy comprises a material selected from the group consisting of La<sub>x</sub>Sr<sub>1-x</sub>MnO<sub>3</sub> and Pr<sub>x</sub>Ca<sub>1-x</sub>MnO<sub>3</sub>.
- 37. (original) The MRAM construct of claim 30 wherein the first ferromagnet layer and the second ferromagnet layer each comprise an oxide based alloy.
- 38. (original) The MRAM construct of claim 37 wherein the oxide based alloy is selected from the group consisting of Fe<sub>3</sub>O<sub>4</sub> and CrO<sub>2</sub>.

- 39. (original) The MRAM construct according to claim 1 wherein the MRAM cell structure comprises a GMR system having first and second ferromagnet layers separated by a thin conductor, the ferromagnet layers having different coercivity fields.
- 40. (previously presented) The MRAM construct according to claim 39 wherein the conductor comprises a material selected from the group consisting of Cu, Ag, Au, Ru, Cr.
- 41. (original) The MRAM construct according to claim 39 wherein the first ferromagnet layer comprises a material different from that of the second ferromagnet layer.
- 42. (original) The MRAM construct according to claim 39 wherein the first ferromagnet layer and the second ferromagnet layer each comprise a material selected from the group consisting of a 3d transition ferromagnet material.
- 43. (original) The MRAM construct of claim 42 wherein the 3d transition ferromagnetic material is selected form the group consisting of Fe, Co, CoFe and CoFeNi.
- 44. (original) The MRAM construct of claim 39 wherein the first ferromagnet layer and the second ferromagnet layer each comprise a Heusler alloy.
- 45. (original) The MRAM construct of claim 43 wherein the Heusler alloy comprises a material selected from the group consisting of La<sub>x</sub>Sr<sub>1-x</sub>MnO<sub>3</sub> and Pr<sub>x</sub>Ca<sub>1-x</sub>MnO<sub>3</sub>.
- 46. (original) The MRAM construct of claim 39 wherein the first ferromagnet layer and the second ferromagnet layer each comprise an oxide based alloy.
- 47. (original) The MRAM construct of claim 46 wherein the oxide based alloy is selected from the group consisting of  $Fe_3O_4$  and  $CrO_2$ .
- 48. (original) The MRAM construct according to claim 30 wherein the MRAM cell structure comprises a spin-valve MTJ.

- 49. (original) The MRAM construct according to claim 32 wherein the spin-valve MTJ comprises a free ferromagnetic layer and a pinned ferromagnetic layer and a pinning layer.
- 50. (original) The MRAM construct according to claim 49 wherein the pinning layer comprises an antiferromagnetic material.
- 51. (previously presented) The MRAM construct according to claim 49 wherein the pinning layer comprises a Mn based material.
- 52. (original) The MRAM construct according to claim 51 wherein the Mn based material is selected from the group consisting of IrMn and FeMn.
- 53. (original) The MRAM construct according to claim 49 wherein the pinning layer comprises a synthetic antiferromagnetic multilayer.
- 54. (original) The MRAM construct according to claim 53 wherein the synthetic antiferromagnetic multilayer comprises layers selected from the group consisting of CoFe/Ru/CoFe and Co/Ru/Co.
- 55. (original) The MRAM construct according to claim 49 wherein the pinning layer comprises a mixed multilayer comprising a synthetic antiferromagnetic material and an antiferromagnetic material.
- 56. (original) The MRAM construct according to claim 55 wherein the mixed multilayer comprises layers selected from the group consisting of IrMn/CoFe/Ru/CoFe and FeMn/Co/Ru/Co.
- 57. (original) The MRAM construct according to claim 49 wherein the pinning layer comprises a permanent magnet material.

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- 58. (original) The MRAM construct according to claim 49 wherein the permanent magnet material is selected from the group consisting of SmCo and SmFeCo.
- 59. (original) The MRAM construct according to claim 30 wherein the MRAM cell structure comprises a pseudo-spin valve MTJ.
- 60. (previously presented) The MRAM construct according to claim 59 wherein the MRAM cell structure comprises a soft ferromagnetic layer and a hard ferromagnetic layer, wherein the coercivity of the hard ferromagnetic layer is greater than the coercivity of the soft ferromagnetic layer.
- 61. (original) The MRAM construct of claim 60 wherein the soft ferromagnetic layer comprises a material selected from the group consisting of NiFe, Co and NiFeCo.
- 62. (original) The MRAM construct of claim 60 wherein the hard ferromagnetic layer comprises a material selected from the group consisting of CoFe and Co.
- 63. (original) The MRAM construct of claim 30 wherein the MRAM cell structure comprises a MTJ comprising a granular material.
- 64. (original) The MRAM construct of claim 63 wherein the distance between grains of ferromagnetic material is in a range about 100 Å to about 300 Å.
- 65. (original) The MRAM structure of claim 63 wherein the granular material is selected from the group consisting of Fe-Al<sub>2</sub>O<sub>3</sub>, Fe-SiO<sub>2</sub>, Co-SiO<sub>2</sub>.
- 66. (original) The MRAM construct according to claim 39 wherein the MRAM cell structure comprises a spin-valve GMR.

- 67. (previously presented) The MRAM construct according to claim 66 wherein the spin-valve GMR comprises a free ferromagnetic layer and a pinned ferromagnetic layer and a pinning layer.
- 68. (original) The MRAM construct according to claim 67 wherein the pinning layer comprises an antiferromagnetic material.
- 69. (previously presented) The MRAM construct according to claim 67 wherein the pinning layer comprises a Mn based material.
- 70. (original) The MRAM construct according to claim 69 wherein the Mn based material is selected from the group consisting of IrMn and FeMn.
- 71. (original) The MRAM construct according to claim 67 wherein the pinning layer comprises a synthetic antiferromagnetic multilayer.
- 72. (original) The MRAM construct according to claim 71 wherein the synthetic antiferromagnetic multilayer comprises layers selected from the group consisting of CoFe/Ru/CoFe and Co/Ru/Co.
- 73. (original) The MRAM construct according to claim 67 wherein the pinning layer comprises a mixed multilayer comprising synthetic antiferromagnetic material and an antiferromagnetic material.
- 74. (original) The MRAM construct according to claim 73 wherein the mixed multilayer comprises layers selected from the group consisting of IrMn/CoFe/Ru/CoFe and FeMn/Co/Ru/Co.
- 75. (original) The MRAM construct according to claim 67 wherein the pinning layer comprises a permanent magnet material.

- 76. (original) The MRAM construct according to claim 67 wherein the permanent magnet material is selected from the group consisting of SmCo and SmFeCo.
- 77. (original) The MRAM construct according to claim 39 wherein the MRAM cell structure comprises a pseudo-spin valve GMR.
- 78. (original) The MRAM construct according to claim 77 wherein the MRAM cell structure comprises a soft ferromagnetic layer and a hard ferromagnetic layer, wherein the coercivity of the hard ferromagnetic layer is greater than the coercivity of the soft ferromagnetic material.
- 79. (original) The MRAM construct of claim 78 wherein the soft ferromagnetic layer comprises a material selected from the group consisting of NiFe, Co and NiFeCo.
- 80. (original) The MRAM construct of claim 78 wherein the hard ferromagnetic layer comprises a material selected from the group consisting of CoFe and Co.
- 81. (original) The MRAM construct of claim 39 wherein the MRAM cell structure comprises a GMR comprising a granular material.
- 82. (original) The MRAM construct of claim 81 wherein the distance between grains of ferromagnetic material is in a range about 100 Å to about 300 Å.
- 83. (original) The MRAM structure of claim 81 wherein the granular material is selected from the group consisting of Fe-Al<sub>2</sub>O<sub>3</sub>, Fe-SiO<sub>2</sub>, Co-SiO<sub>2</sub>.
- 84. (previously presented) The MRAM structure of claim 39 wherein the GRM system comprises a periodic multilayer structure, alternating a ferromagnetic material with a nonferromagnetic material.
- 85. (original) The MRAM structure of claim 84 wherein the multilayer structure comprises (NiFe/Cu)<sub>n</sub>.

- 86. (withdrawn) An MRAM construct comprising a plurality of MRAM cell structures, and including a spin filtering element connected to the plurality of MRAM cell structures by a spin hold wire adjacent a first ferromagnetic layer on the MRAM cell structures.
- 87. (withdrawn) An MRAM construct comprising a plurality of MRAM cells, each MRAM cell comprising a MRAM cell structure, a spin hold layer adjacent the MRAM cell structure, and a spin filtering layer adjacent the spin hold layer.
- 88. (withdrawn) The MRAM construct of claim 86 wherein the spin hold wire comprises Bi.
- 89. (withdrawn) The MRAM construct of claim 87 wherein the spin hold layer comprises Bi.
- 90. (withdrawn) The MRAM construct of claim 87 wherein the spin hold layer comprises a layer of a conductive metal, the layer having a thickness less than the electron mean free path in the metal.
- 91. (withdrawn) The MRAM construct of claim 90 wherein the conductive metal layer comprises Cu.
- 92. (withdrawn) The MRAM construct of claim 91 wherein the Cu layer has a thickness in the range about 4 nm to about 10 nm.
- 93. (withdrawn) The MRAM construct of claim 90 wherein the layer comprises Al.
- 94. (withdrawn) The MRAM construct of claim 93 wherein the Al layer has a thickness in the range about 4 nm to about 5 nm.
- 95. (original) A MRAM array comprising the MRAM construct of claim 1.